

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**PRIMERICA LIFE INSURANCE
COMPANY,**

Plaintiff,

v.

**CLARENCE L. BACCUS, JR., et al.,
Defendants.**

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CIVIL ACTION NO. 3:07-CV-264-O

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

On August 21, 2007, Plaintiff Primerica Life Insurance Company filed its Motion for Summary Judgment (Doc. # 33). The District Court referred this motion to the Magistrate Judge for Findings, Conclusions, and Recommendation in accordance with 28 U.S.C. § 636(b)(1). *See* Doc. # 76. On December 17, 2008, the Magistrate Judge recommended that Plaintiff's motion for summary judgment be granted, and that Plaintiff be awarded attorney's fees and expenses in the amount of \$24,695.00 from the Policy Proceeds previously deposited in the registry of the Court.

A district court must determine *de novo* any portion of the magistrate judge's conclusions and recommendations on dispositive matters to which the parties have filed specific, written objections. *See* 28 U.S.C. § 636(b)(1)(c); FED. R. CIV. P. 72(b); *Parks v. Collins*, 761 F.2d 1101, 1104 (5th Cir. 1985). The district court may accept, reject, or modify, in whole or in part, those portions of the proposed findings and recommendations. *See* FED. R. CIV. P. 72(b).

After conducting a *de novo* review pursuant to 28 U.S.C. § 636 and Rule 72 of the Federal Rules of Civil Procedure, the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the

Findings and Conclusions of the Court.

Accordingly, Plaintiff Primerica Life Insurance Company's Motion for Summary Judgment (Doc. # 33) is hereby **GRANTED**. In addition, this Court awards Plaintiff attorney's fees and expenses in the amount of \$24,695.00.

SO ORDERED this 30th day of **January, 2009**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE